

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: AUGUST 13, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SDR-33880 - APPLICANT: CBS OUTDOOR - OWNER: TIE INC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to the conditions for Site Development Plan Review (SDR-27728), Rezoning (Z-0008-95) and Review of Condition [Z-0008-95(1)] if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 06/16/09, except as amended by conditions herein.
4. The structural elements exposed to the opening at south end of the billboard shall be screened from view.
5. The Off-Premise Sign (Billboard) and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
6. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Sign (Billboard).
7. Bird deterrent devices shall be installed on the sign within 30 days of final approval by the City of Las Vegas.
8. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

9. The proposed sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The proposed ground mounted bases shall not be located within existing or proposed public sewer or drainage easements.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing to replace an existing non-conforming Off-Premise sign with an approved 85-foot high Off-Premise sign on the same parcel located at 333 North 11th Street. The existing sign was approved as a part of Rezoning (Z-0008-95) in 1993 and received a final inspection approval on 06/15/95. An 85-foot sign was approved by a Site Development Plan Review (SDR-27728) to replace the existing sign due to the installation of sound walls along Highway US-95. This request would move the approved sign approximately 11 feet to the south of its current location on the same parcel to accommodate additional structural requirements for the sign. Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign shall maintain any non-conforming status it had immediately before such approval. If denied, the subject billboard would not be permitted on the subject site without additional application reviews. The relocation of the sign is necessary to accommodate the additional height approved by Site Development Plan Review (SDR-27728), and will not result in any reduction of parking or landscaping on the subject site; therefore staff is recommending approval of the request.

Issues:

- Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign shall maintain any non-conforming status it had immediately before such approval.
- The existing Off-Premise Advertising (Billboard) Sign received its final inspection on 06/15/95.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
1978	A deed was recorded for a change of ownership at 333 North 11 th Street.
11/23/93	The City Council denied a request for a Rezoning (Z-0084-93) from the R-1 (Single Family Residential) zoning district to the C-1 (Limited Commercial) zoning district in order to convert an existing assembly hall and clubhouse for commercial uses. The Planning Commission recommended denial
04/05/95	The City Council approved a request for a reclassification of property (Z-0008-95) located at 333 North 11 th Street, from the R-1 (Single Family Residence) zoning district to the C-1 (Limited Commercial) zoning district for a proposed Off-Premise Advertising (Billboard) Sign. The Planning Commission recommended denial on 03/09/95.
02/07/96	The City Council approved a request for a Review of Condition Number Five [Z-0008-95(1)] to allow lighting of an Off-Premise Advertising (Billboard) Sign where such is prohibited on property located at 333 North 11 th Street.

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06/18/08	The City Council approved a request for a Site Development Plan Review (SDR-27728) to raise an existing 65-foot tall Off-Premise Advertising (Billboard) Sign to a height of 85 feet on 0.51 acres at 333 North 11 th Street.
<i>Related Building Permits/Business Licenses</i>	
04/25/95	A Building Permit (#95374729) was issued for a final electrical inspection at 333 North 11th Street. The permit was finalized on 06/15/95.
02/16/96	A Building Permit (#96003336) was issued for service to an existing billboard at 333 North 11 th Street. The permit was finalized on 03/26/96.
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of request, nor was one held.	
<i>Field Check</i>	
07/09/09	<p>A field check was completed on the indicated date. The following items were observed by Planning and Development Department staff:</p> <ul style="list-style-type: none"> • Staff noted the existing billboard and the new location it's being moved to on the same parcel. • Staff noted that there are no parking spaces affected by the location of the billboard.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.51 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Parking Lot	MXU (Mixed Use)	C-1 (Limited Commercial)
North	Las Vegas Housing Authority	MXU (Mixed Use)	R-3 (Medium Density Residential)
South	Social Service Provider	MXU (Mixed Use)	R-2 (Medium-Low Density Residential)
East	Las Vegas Housing Authority/Senior Apartments	MXU (Mixed Use)	R-3 (Medium Density Residential/ R-4 (Medium-High Density Residential)
West	Apartments	MXU (Mixed Use)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Redevelopment Plan Area	X		N/A

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
Live/Work Overlay District	X		N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Per Title 19.14.100, the following sign standards apply to the Off-Premise Sign (Billboards):

Standards	Code Requirement	Provided	Compliance
Location	No Off-Premise Advertising (Billboard) Sign may be located within the public right-of-way. May not be located within the Off-Premise Sign Exclusionary Zone except in exempted areas.	The existing sign is not located within the public right-of-way or the Off-Premise Sign Exclusionary Zone.	Y
Zoning	Off-Premise Advertising (Billboard) Signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	C-1	Y
Area	No Off-Premise Advertising (Billboard) Signs shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	672 square feet with no embellishments shown or proposed	Y
Height	No more than 45 feet above the noise abatement improvement project from the tallest point of the improvement project to the top of the sign and no higher than 65 feet from grade at the point of construction	45 feet above the sound wall	Y
Screening	All structural elements of an Off-Premise Advertising (Billboard) Sign to which the display panels are attached shall be screened from view.	The structural elements of the sign are exposed at the southern face.	By Condition

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Off-Premise Advertising (Billboard)	At least 750 feet to another Off-Premise Sign	670 feet from Off-Premise Sign to the south	By Condition
Off-Premise Advertising (Billboard)	At least 300 feet to the nearest property line of a lot in any "R" zoned district.	20 feet	N*
Other	All Off-Premise Advertising (Billboard) Signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Sign is permanently attached and is located on non-residential property.	Y

*Pursuant to Title 19.14.100 Section G (4) Off-Premise Signs, this sign will retain its non-conforming status, as approved by Rezoning (Z-0008-95).

ANALYSIS

The subject Off-Premise Advertising (Billboard) Sign was originally approved under Rezoning (Z-0008-95). The subject billboard was approved as Site Development Plan Review (SDR-27728) to raise the height of an existing 65-foot tall Off-Premise Advertising (Billboard) Sign to a height of 85 feet. Due to changes in the Building Code since the original construction of the billboard, a new billboard is to be constructed on the same parcel, which replaces the existing sign. The applicant is proposing to move the sign 11 feet to the south on the same parcel, which is a parking lot. There are currently 39 parking spaces on the subject site. None of the parking spaces will be affected by the relocated billboard. Also, the applicant has maintained a 24-foot drive isle between the billboard and the parking spaces, which is adequate for vehicular movement on the subject site. The relocation of the sign is necessary to accommodate the additional height approved by Site Development Plan Review (SDR-27728), and will not result in any reduction in parking or landscaping on the subject site; therefore, staff is recommending approval of this request.

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

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Pursuant to Title 19.14.100(G)(4), the existing sign is a legal, nonconforming sign, if approved, will retain its non-conforming status.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed sign is consistent with the MXU (Mixed-Use) General Plan Land Use category and is a permissible use in the C-1 (Limited Commercial) Zoning District with the approval of a Special Use Permit or Site Development Plan Review. However, this Off-Premise Sign (Billboard) is a legal, non-conforming use for distance separation from both residentially zoned property and other Off-Premise Signs.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The existing sign is located in the rear portion of a parking lot and does not negatively impact the site access. The relocation of the sign will not impact site circulation or parking.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The building materials involved in the raising of the sign are typical of the tubular-steel supported billboards found throughout the city. Staff has conditioned the approval of this review to add screening to the opening between the two billboard faces on the southern exposure.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed sign is appropriate in its proposed location but, the structural support on the southern end of the billboard is not properly screened. Staff has placed a condition of approval to adequately screen the open portion of the sign that faces outwards to the south.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

The proposed Off-Premise Sign will be subject to inspections, and will not compromise the public health, safety or welfare.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 15

ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 169

APPROVALS 0

PROTESTS 0